

3731/#

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James F. Zucherman

SC/Serial No.: 09/684,017

Confirm. No.: 9622

Filed: January 8, 2001

Title: SPINE DISTRACTION IMPLANT AND METHOD



PATENT APPLICATION

Art Unit: 3731

Examiner: Julian W. Woo

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Art Unit 3731, Commissioner for Patents, Washington, DC 20231, on April 2, 2003.

(Attorney Signature)

Sheldon R. Meyer, Reg. No. 27,660

Signature Date: April 2, 2003

RESPONSE TRANSMITTAL LETTER

RECEIVED
APR 16 2003
TECHNOLOGY CENTER R3700

Art Unit 3731

Commissioner for Patents

Washington, DC 20231

Sir:

Transmitted with this communication in connection with the above-identified application are the following:

- ☒ A Response under 37 C.F.R. §1.111 to the Office Action dated January 2, 2003.
- _____ A Response under 37 C.F.R. §1.116 to the Office Action dated _____.
- _____ A Petition for an Extension of Time under 37 C.F.R. §1.136.
- _____ A Statement pursuant to 37 C.F.R. §1.27 to establish small entity status under 37 C.F.R. §1.9(f).
- _____ An Information Disclosure Statement pursuant to 37 C.F.R. §1.56.

The fee associated with this communication has been calculated as shown below:

- _____ No fee is required with this communication.
- ✓ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established.
- _____ A fee for extension of time for response under 37 C.F.R. §1.136 filed within _ month(s) after the original time for response of \$___ is due.
- _____ A fee of \$180.00 is due for the submission of the accompanying Information Disclosure Statement.
- ✓ A fee for addition of claims under 37 C.F.R. §1.16 is due as follows:

Claims Remaining After Amendment	Highest Previously Paid For	Number Extra	Rate Small Entity/ Other Than Small Entity
Total			\$ 9.00
Claims <u>23</u> - <u>24</u>	=	<u>0</u> * X	\$18.00 = \$ -0-
Independent			\$42.00
Claims <u>18</u> - <u>15</u>	=	<u>3</u> * X	\$84.00 = \$ 126.00
First Presentation of			\$140.00
Multiple Dependent Claim(s) __			\$280.00 = \$ -0-

*If the difference is less than zero, enter "0".

Additional Fee = \$ 126.00

The total fee required with this communication is \$_____ and is to be paid as follows:

- _____ Please charge Deposit Account No. 06-1325 in the amount of \$____. A duplicate copy of this authorization is enclosed.
- ✓ A check in the amount of \$ 126.00 is enclosed.

✓

The Commissioner is hereby authorized to charge underpayment of any fees, including the following fees, associated with this communication or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

✓

Any filing fees under 37 C.F.R. §1.16 for the presentation of additional claims.

✓

Any patent application processing fees under 37 C.F.R. §1.17 including any applicable fee for extension of time.

Respectfully submitted,

Date: 4/2/03

By: 

Sheldon R. Meyer
Reg. No. 27,660

FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800